

TITLE 77: PUBLIC HEALTH  
 CHAPTER I: DEPARTMENT OF PUBLIC HEALTH  
 SUBCHAPTER c: LONG-TERM CARE FACILITIES

PART 295  
 ASSISTED LIVING AND SHARED HOUSING ESTABLISHMENT CODE  
 SUBPART A: GENERAL PROVISIONS

Section	
295.100	Purpose of the Act and this Part (Repealed)
295.200	Definitions
295.300	Incorporated and Referenced Materials
295.400	License Requirement
295.500	Application for License
295.600	Issuance of an Initial Regular License
295.700	Issuance of a Renewal License
295.800	Probationary License
295.900	Denial of a License
295.1000	Revocation, Suspension, or Refusal to Renew a License
295.1010	Transfer of Ownership
295.1020	Information to Be Made Available to the Resident by the Licensee
295.1030	Information to Be Made Available to the Public by the Department
295.1040	Technical Infractions
295.1050	Violations
295.1060	Remedies and Sanctions
295.1070	Annual On-Site Review and Complaint Investigation Procedures
295.1080	Waivers
295.1090	Complaints
295.1100	Alzheimer's Disease and Related Dementias Special Care Disclosure
295.1110	Floating Licenses

SUBPART B: POLICIES

Section	
295.2000	Residency Requirements
295.2010	Termination of Residency
295.2020	Notice of Closure
295.2030	Establishment Contracts
295.2040	Disaster Preparedness
295.2050	Incident and Accident Reporting
295.2060	Quality Improvement Program
295.2070	Negotiated Risk Agreement

SUBPART C: PERSONNEL

Section

- 295.3000 Personnel Requirements, Qualifications and Training
- 295.3010 Manager's Qualifications
- 295.3020 Employee Orientation and Ongoing Training
- 295.3030 Initial Health Evaluation for Direct Care and Food Service Employees
- 295.3040 Health Care Worker Background Check

SUBPART D: RESIDENT CARE AND SERVICES

Section

- 295.4000 Physician's Assessment
- 295.4010 Service Plan
- 295.4020 Mandatory Services
- 295.4030 Special Safety and Service Needs of Individuals Who Are Quadriplegic or Paraplegic, or Who Have Neuro-Muscular Diseases
- 295.4040 Communicable Disease Policies
- 295.4050 Tuberculin Skin Test Procedures
- 295.4060 Alzheimer's and Dementia Programs

SUBPART E: MEDICATIONS

Section

- 295.5000 Medication Reminders, Supervision of Self-Medication, Medication Administration and Storage

SUBPART F: RESIDENT RIGHTS

Section

- 295.6000 Resident Rights
- 295.6010 Abuse, Neglect, and Financial Exploitation Prevention and Reporting
- 295.6030 Resident's Representative

SUBPART G: RESIDENT AND ESTABLISHMENT RECORDS

Section

- 295.7000 Resident Records
- 295.7010 Establishment Records

SUBPART H: FOOD SERVICE

Section  
295.8000 Food Service

SUBPART I: PHYSICAL PLANT AND ENVIRONMENTAL REQUIREMENTS

Section  
295.9000 Physical Plant  
295.9005 Units  
295.9010 Supplemental Physical Plant Requirements for Assisted Living Establishments  
295.9020 Supplemental Physical Plant Requirements for Shared Housing Establishments  
295.9030 Furnishings  
295.9040 Environmental Requirements

295.APPENDIX A Physician's Assessment Form  
295.TABLE A Heat Index Table/Apparent Temperature

AUTHORITY: Implementing and authorized by the Assisted Living and Shared Housing Act [210 ILCS 9].

SOURCE: Adopted at 25 Ill. Reg. 14401, effective December 1, 2001; emergency amendment at 27 Ill. Reg. 6378, effective April 1, 2003, for a maximum of 150 days; emergency expired August 28, 2003; amended at 27 Ill. Reg. 18087, effective November 12, 2003; amended at 28 Ill. Reg. 14593, effective October 21, 2004; amended at 32 Ill. Reg. 7968, effective May 12, 2008; amended at 36 Ill. Reg. 13632, effective August 16, 2012; amended at 39 Ill. Reg. 11484, effective July 31, 2015; emergency amendment at 44 Ill. Reg. 8515, effective May 5, 2020, for a maximum of 150 days; emergency rule repealed at 44 Ill. Reg. 16258, effective September 15, 2020; emergency amendment at 44 Ill. Reg. 18960, effective November 19, 2020, for a maximum of 150 days; emergency rule expired April 17, 2021; emergency amendment at 45 Ill. Reg. 384, effective December 18, 2020, for a maximum of 150 days; emergency amendment to emergency rule at 45 Ill. Reg. 2076, effective January 27, 2021, for the remainder of the 150 days; emergency rule as amended expired May 16, 2021; emergency amendment at 45 Ill. Reg. 5541, effective April 18, 2021, for a maximum of 150 days; emergency rule expired September 14, 2021; emergency amendment at 45 Ill. Reg. 6696, effective May 17, 2021, for a maximum of 150 days; emergency expired October 13, 2021; emergency amendment at 45 Ill. Reg. 11924, effective September 15, 2021, for a maximum of 150 days; emergency amendment to emergency rule at 45 Ill. Reg. 14532, effective November 5, 2021, for the remainder of the 150 days; emergency expired February 11, 2022; emergency amendment at 45 Ill. Reg. 13702, effective October 14, 2021, for a maximum of 150 days; emergency expired March 12, 2022; emergency amendment at 46 Ill. Reg. 3225, effective February 12, 2022, for a maximum of 150 days; emergency expired July 11, 2022; emergency amendment at 46 Ill. Reg. 5333, effective March 13, 2022, for a maximum of 150 days; emergency expired August 9, 2022; emergency amendment at 46 Ill. Reg. 13361, effective July 15, 2022, for a maximum of 150 days; emergency amendment to emergency rule at 46 Ill. Reg. 16414, effective September 19, 2022,

for the remainder of the 150 days; emergency amendment to emergency rule at 46 Ill. Reg. 18204, effective October 27, 2022, for the remainder of the 150 days; emergency expired December 11, 2022; emergency amendment at 46 Ill. Reg. 20227, effective December 12, 2022, for a maximum of 150 days; amended at 47 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## SUBPART A: GENERAL PROVISIONS

### Section 295.300 Incorporated and Referenced Materials

- a) The following private and professional association standards are incorporated in this Part.
  - 1) The following standards of the National Fire Protection Association (NFPA) ~~Standard No. 101: Life Safety Code, Chapter 32, New Residential Board and Care Occupancies (2000)~~, which may be obtained from the National Fire Protection Association, 1 Batterymarch Park, Quincy, ~~MA~~ Massachusetts 02169:-
    - A) NFPA 101 (2012): Life Safety Code, Chapter 32, New Residential Board and Care Occupancies and all appropriate references under Chapter 2
    - B) NFPA 101 (2012): Life Safety Code, Chapter 33, Existing Residential Board and Care Occupancies for existing facilities and all appropriate references under Chapter 2.
  - 2) American Psychiatric Association, Diagnostic and Statistical Manual of Mental Disorders, ~~Fifth~~ Fourth Edition DSM-5 (2022) ~~(DSM-IV) (1994)~~, available at: <https://appi.org/Products/dsm> or ~~which may be obtained~~ from the American Psychiatric Association, 800 Maine Avenue, SW, Suite 900, Washington, DC 20024 ~~1000 Wilson Blvd., Suite 1825, Arlington, Virginia 22209.~~
- b) The following federal guidelines are incorporated in this Part: ADA Accessibility Guidelines (ADAAG), August 5, 2005 ~~July 2004~~, available at: [https://www.ada.gov/archive/NPRM2008/ada\\_standards/proposedadastds.htm](https://www.ada.gov/archive/NPRM2008/ada_standards/proposedadastds.htm) or which may be obtained from the U.S. Access Board, 1331 F Street NW, Suite 1000, Washington, ~~DC~~ D.C. 20004-1111; [info@access-board.gov](mailto:info@access-board.gov).
- c) All incorporations by reference of federal guidelines and the standards of nationally recognized organizations refer to the standards on the date specified and do not include any editions or amendments subsequent to the date specified.

- d) The following statutes and State rules are referenced in this Part:
- 1) Federal statutes:  
Americans with Disabilities Act (42 U.S.C. 12101 et seq.)
  - 2) State of Illinois statutes, available at: <https://ilga.gov/legislation/ilcs/ilcs.asp>
    - A) Medical Practice Act of 1987 [225 ILCS 60]
    - B) Nurse Practice Act [225 ILCS 65]
    - C) Child Care Act of 1969 [225 ILCS 10]
    - D) Hospital Licensing Act [210 ILCS 85]
    - E) Nursing Home Care Act [210 ILCS 45]
    - F) ~~IDMR~~/DD Community Care Act [210 ILCS 47]
    - G) Probate Act of 1975 [755 ILCS 5]
    - H) Illinois Public Aid Code [305 ILCS 5]
    - I) Illinois Administrative Procedure Act [5 ILCS 100]
    - J) Health Care Worker Background Check Act [225 ILCS 46]
    - K) ~~Illinois Power of Attorney Act~~~~Powers of Attorney for Health Care Law~~ [755 ILCS 45/Art. IV]
    - L) Health Care Surrogate Act [755 ILCS 40]
    - M) Community-Integrated Living Arrangements Licensure and Certification Act [210 ILCS 135]
    - N) Hospice Program Licensing Act [210 ILCS 60]
    - O) Freedom of Information Act [5 ILCS 140]
    - P) Alzheimer's Disease and Related Dementias Special Care Disclosure Act [210 ILCS 4]

- Q) Home Health, Home Services, and Home Nursing Agency Licensing Act [210 ILCS 55]
  - R) Code of Civil Procedure [735 ILCS 5]
  - S) Dietetic ~~Nutritionist~~and ~~Nutrition Services~~ Practice Act [225 ILCS 30]
  - T) Community Living Facilities Licensing Act [210 ILCS 35]
  - U) Supportive Residences Licensing Act [210 ILCS 65]
  - V) Life Care Facilities Act [210 ILCS 40]
- 3) State of Illinois rules, available at: <https://ilga.gov/commission/jcar/admincode/titles.html>
- A) Capital Development Board, Illinois Accessibility Code (71 Ill. Adm. Code 400)
  - B) Department of Public Health
    - i) Control of Communicable Diseases Code (77 Ill. Adm. Code 690)
    - ii) Food ~~Service Sanitation~~ Code (77 Ill. Adm. Code 750)
    - iii) Private Sewage Disposal Code (77 Ill. Adm. Code 905)
    - iv) Drinking Water Systems Code (77 Ill. Adm. Code 900)
    - v) Practice and Procedure in Administrative Hearings (77 Ill. Adm. Code 100)
    - vi) Public Area Sanitary Practice Code (77 Ill. Adm. Code 895)
    - vii) Control of Tuberculosis Code (77 Ill. Adm. Code 696)
    - viii) Health Care Worker Background Check Code (77 Ill. Adm. Code 955)
    - ix) Illinois Plumbing Code (77 Ill. Adm. Code 890)

259

260

(Source: Amended at 47 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)